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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/443,251	11/17/99	TAMOSHUNAS	A PHN-15.4460

0242/1214

CORPORATE PATENT COUNSEL
U S PHILIPS CORPORATION
580 WHITE PLAINS ROAD
TARRYTOWN NY 10591

NOT ASSIGNED

2724

DATE MAILED:

12/14/99

**NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION
FILED UNDER 37 CFR 1.53(b)**

A filing date has been assigned to the above-identified application papers; however, the following item(s) appear to have been omitted from the application:

- ☐ 1. Pages _____ of the specification (description and claims).
☐ 2. Figures _____ described in the specification.
☒ 3. Other: CLAIMS 1, 3, 4 AND 5 ARE MISSING FROM THE SPECIFICATION

I. Should applicant contend that the above-noted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i)), which will be refunded if it is determined that the item was in fact received by the PTO) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) were filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted items (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181 (f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136 (a) or (b).** In the absence of a timely petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option III), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

Enclosed:

- ☐ "Notice to File Missing Parts of Application," Form PTO-1533.
☐ Other: _____

A copy of this notice MUST be returned with the reply.

NA. D. A. L.
Customer Service Center
Initial Patent Examination Division (703) 308-1202.

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